

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Servants – Transport Department – Sri M.Sarat Babu, Motor Vehicles Inspector – Permitted to retire voluntarily - Allegation of possession of assets disproportionately – Criminal case registered – Release of pensionary benefits – Orders – Issued.

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TRANSPORT, ROADS & BUILDINGS (VIG.III.2) DEPARTMENT

G.O.Rt.No. 1116

Dated 09.11.2013.

Read the following:-

- 1) Proceedings R.No.6196/C3/2009, Dated 8.10.2009 of Transport Commissioner, Andhra Pradesh, Hyderabad.
- 2) Criminal case No.20/ACB-HR/2009 registered on 24.11.2009.
- 3) G.O.Rt.No.1174, Transport, Roads & Buildings (Vig.III.2) Deptt., Dated 15.12.2011.
- 4) Orders of Hon'ble Andhra Pradesh Administrative Tribunal, dated 12.6.2013 in O.A.No.1197/2012.

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ORDER:

In the Proceedings 1<sup>st</sup> read above, permission was accorded to Sri M.Sarat Babu, Motor Vehicle Inspector to retire voluntarily from Government service under Rule 43 of A.P. Revised Pension Rules, 1980.

2. Subsequent to his retirement, the Anti Corruption Bureau Officials have registered a criminal case against Sri M.Sarat Babu, MVI (Retd) on 24.11.2009 on the allegation of possession of assets disproportionately.

3. In the G.O. 3<sup>rd</sup> read above, orders were issued sanctioning an amount of Rs.6,820/- being the 75% of normal eligible pension per month as provisional pension to Sri M.Sarat Babu, Motor Vehicles Inspector (Retd.) as a criminal case is pending against him.

4. Against the said orders, Sri M.Sarat Babu, Motor Vehicles Inspector (Retd) has filed O.A.No.1197/2012. The Hon'ble Tribunal in its orders 4<sup>th</sup> read above among other things, has observed that on the date of retirement of the applicant ie. on 8.10.2009 there was no disciplinary case or criminal case pending against him. As per Rule 9(6) (a) of Andhra Pradesh Revised Pension Rules, 1980 departmental proceedings/criminal proceedings shall be deemed to be instituted on the date on which the Magistrate takes cognizance of the complaint or report of the police officer. In the instant case, as per the status furnished by the respondents, the Magistrate has not taken cognizance of the criminal case and only an F.I.R. has been filed by the police and therefore even though a case was

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registered on 24.11.2009, it is deemed that no criminal proceedings are pending against the applicant. Therefore Hon'ble Tribunal viewed that the applicant is entitled for full pension with all retirement benefits from the date of his retirement in addition, he is also entitled to interest @ 10% per annum for the delayed payment and accordingly allowed the O.A.

5. Government after careful examination of the matter, have decided to implement the orders of Hon'ble Tribunal 4<sup>th</sup> read above.

6. Accordingly, Government, subject to outcome of the Criminal Proceedings pending, hereby release full pension to Sri M.Sarath Babu MVI (Retd) with all retirement benefits from the date of his retirement with interest @ 10% per annum for the delayed payment.

7. The Transport Commissioner, Andhra Pradesh, Hyderabad, shall take action accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

D. LAKSHMI PARTHASARATHY,  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To  
Sri M.Sarat Babu, MVI (Retd)  
R/o. H.No.8-2-293/82/NL/50,  
M.L.A. & M.P. Colony,  
Road No.10-C, Jubilee Hills,  
Hyderabad. through the Transport Commissioner, A.P.,Hyderabad.  
Copy to:  
The Accountant General, Andhra Pradesh, Hyderabad.  
The Director of Treasuries & Accounts, A.P.Hyderabad  
The District Treasury Officer, Hyderabad  
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER.